

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff

-against-

PEDRO GARCIA,

Defendant.

98 Cr. 1330 (LAP)

ORDER

LORETTA A. PRESKA, Senior United States District Judge:

The Court is in receipt of Mr. Garcia's motion (dkt. no. 43) requesting transfer of firearms owned by Mr. Garcia, and presently in the custody and control of the Federal Bureau of Investigation ("FBI"), to Elvis Bienvenido Nunez.

Upon review of Mr. Garcia's submission and its accompanying affidavits, the Court is satisfied that, following the requested transfer, Mr. Nunez will not allow Mr. Garcia to exert any influence over these firearms and that Mr. Garcia will not maintain control over them. See Henderson v. United States, 575 U.S. (2015).

Accordingly, the Court directs the FBI to transfer the firearms in its custody and control that are owned by Mr. Garcia to Elvis Bienvenido Nunez.

SO ORDERED.

Dated: New York, New York

February 5, 2021



LORETTA A. PRESKA

Senior United States District Judge